

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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SHANNON LEWANDOWSKI,

Plaintiff,

v.

Case No. 16-CV-1089

CITY OF MILWAUKEE,

Defendant.

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ORDER

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Defendant filed a motion to dismiss on January 3, 2018. (ECF No. 36.) Through its reply brief defendant withdrew its motion to dismiss. (ECF No. 44 at 2.) Thus, defendant's motion to dismiss will be **denied as moot**.

On February 19, 2018, plaintiff Shannon Lewandowski filed a motion to amend the complaint. (ECF No. 42.) The motion is premised on "the discovery of new information"—namely, information relating to an alleged affair between Captain Sgrignuoli and Executive Director of the Fire and Police Commission, MaryNell Regan. (ECF No. 42 at 2.) Lewandowski alleges that this newly-discovered information "establishes additional allegations of sex discrimination and violations of equal protection in Plaintiff's case against the City of Milwaukee, and it also shows that the

violations are deeply embedded into the culture of the Department all the way to the top.” (ECF No. 42 at 3.)

Defendant opposes the request to amend the complaint. (ECF No. 43.) It argues that the “motion is futile because it raises no new claim or does anything to substantially alter the claims already asserted in [plaintiff’s] initial complaint. (ECF No. 43 at 1.)

“The court should freely give leave when justice so requires.” *Life Plans, Inc. v. Sec. Life of Denver Ins. Co.*, 800 F.3d 343, 357 (7th Cir. 2015) (citing Federal Rule of Civil Procedure 15(a)(2)). A district court is required to allow amendment unless there is a good reason to deny leave to amend, such as futility, undue delay, undue prejudice, or bad faith. *Id.* at 358 (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)).

It is true that the proposed amended complaint does not add a new claim. What it purports to add are factual allegations relevant to the already-existing claims. One can debate whether those additional details are necessary. Having said that, the court finds no reason to deny Lewandowski’s motion for leave to amend. As such, her motion will be **granted**.

**IT IS THEREFORE ORDERED** that defendant’s motion to dismiss (ECF No. 36) is **denied as moot**.

**IT IS FURTHER ORDERED** that Lewandowski’s motion to file amended complaint (ECF No. 42) is **granted**. Lewandowski’s emergency motion to file reply brief

(ECF No. 45) is **denied as moot**. The clerk will set a scheduling conference to schedule remaining deadlines in this case.

Dated at Milwaukee, Wisconsin this 1st day of March, 2018.

  
WILLIAM E. DUFFIN  
U.S. Magistrate Judge